

RESOLUTION APPROVING ZONING PETITION DOA87-134(C)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF GOLF COURSE SALES CONSULTANTS

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA87-134(C) was presented to the Board of County Commissioners at a public hearing conducted on June 24, 1993; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, section 5.8 (Compliance with Time Limitations), of the Palm Beach County Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. **This Development Order Amendment is consistent with the requirements of the Palm Beach County Land Development Code.**
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach county Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. **This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.**
  - a. This Development Order Amendment has a concurrency reservation and therefore complies with Art. 11 (Adequate Public Facility Standards) of the Palm Beach County Land Development Code.

9. This Development Order Amendment, with conditions **as** adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. , ,This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA87-134(C), the petition of GOLF COURSE SALES CONSULTANTS, BY DAIRELL J. SNAPP, III, AGENT for a DEVELOPMENT ORDER AMENDMENT to amend USE LIMITATION CONDITION and allow ENTERTAINMENT, OUTDOOR **AS** A REQUESTED USE IN A MULTIPLE USE PLANNED DEVELOPMENT, previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located on a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on June 24, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

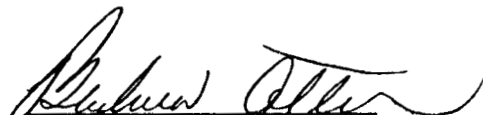
The motion was seconded by Commissioner Marcus and, upon being put to a vote, the vote was as follows:



Mary McCarty, Chair	--	Absent
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Absent
Karen T. Marcus	--	Aye
Warren Newell	--	Absent
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 24th day of June, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK: 

**EXHIBIT A**  
**LEGAL DESCRIPTION**

THE SOUTH 200 FEET OF THE NORTH 621' OF THE EAST ONE-HALF ( $E\frac{1}{2}$ ) OF THE NORTHEAST ONE-QUARTER ( $NE\frac{1}{4}$ ) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42E, TOGETHER WITH:

THE SOUTH 328 FEET OF THE NORTH 949 FEET OF THE EAST ONE HALF ( $E\frac{1}{2}$ ) OF THE NORTHEAST ONE-QUARTER ( $NE\frac{1}{4}$ ) OF THE SOUTHWEST ONE-QUARTER ( $SW\frac{1}{4}$ ) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA (LESS THE EAST 67 FEET THEREOF FOR THE RIGHT-OF-WAY OF MILITARY TRAIL).  
SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

EXHIBIT B  
VICINITY SKETCH

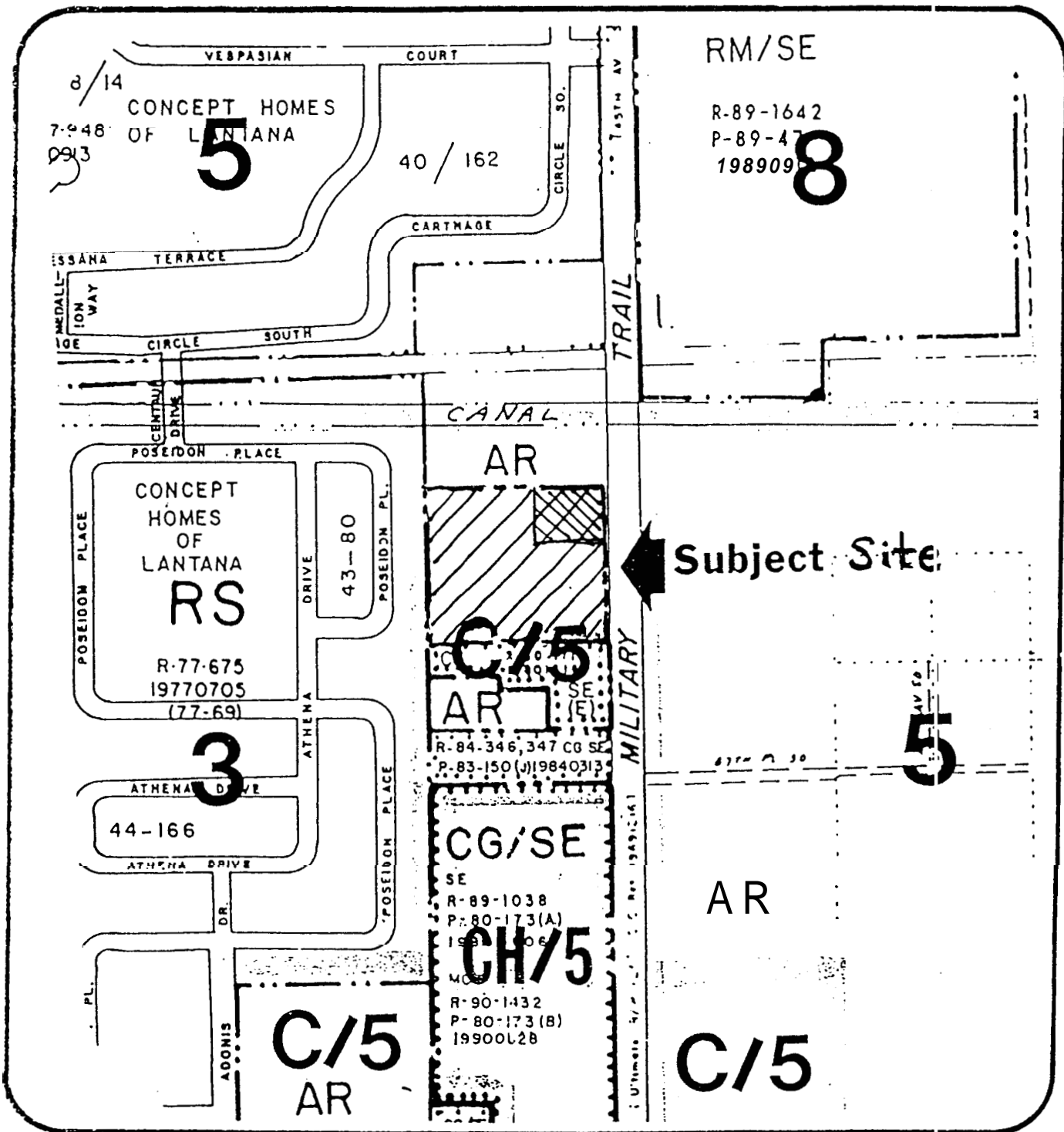


EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. All pervious conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, including original deadlines for Palm Beach County's Land Development Code Article 5 Compliance, as amended, unless expressly modified. (MONITORING)
2. Prior to site plan certification, the site plan shall be amended to indicate the following:
  - a. Redesign of the four (4) parking aisles in the northwest portion of the site to provide continuous vehicular traffic circulation.
  - b. Existing vegetation and proposed landscaping as per Condition Nos. 6, 8, 9, and 10, below. (Previously Condition Number 1, Petition Number 87-134, Resolution Number R88-1802) (ZONING)
3. Condition Number 2, Petition Number 87-134, Resolution Number R88-1802, which currently states:

Use of the site shall be limited to a bowling center with an accessory snack bar and lounge. (Previously

Is hereby amended to state:

Use of the site shall be limited to a bowling center with accessory snack bar and lounge, and an outdoor miniature golf course with accessory snack bar/retail shop and picnic area. (CODE ENFORCEMENT/ZONING)
4. Access to the lounge, other than for emergencies, shall be entirely interior to the bowling center. (Previously Condition Number 3, Petition Number 87-134, Resolution Number R88-1802) (CODE ENFORCEMENT/ZONING)
5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted on the exterior of the bowling center. (Previously Condition Number 5, Petition Number 87-134, Resolution Number R88-1802) (CODE ENFORCEMENT)
6. There shall be no stock loading or dumpster pickup between the hours of 8:00 p.m. and 7:00 a.m. (Previously Condition Number 7, Petition Number 87-134, Resolution Number R88-1802) (CODE ENFORCEMENT)
7. Prior to the issuance of building permits, petitioner shall record a Unity of Control covering the entire 7.32 acre site. Two (2) copies of the properly executed assignment of the Unity of Title documents shall be submitted to the Zoning Division simultaneously with the approval for a building permit. (Previously Condition Number 11, Petition Number 87-134, Resolution Number R88-1802) (BUILDING/COUNTY ATTORNEY)
8. The bowling alley shall be limited to 53 lanes until the contract for the four (4) laning of Military Trail from Hypoluxo Road to Lantana Road has been let. (Previously condition Number 2, Petition Number 87-134(B), Resolution Number R90-54) (ENGINEERING) (note: Military Trail is four lanned 6/24/93)

B. BUILDING AND SITE DESIGN

1. Lighting used to illuminate the premises shall be directed away from streets and neighboring properties. ,Lighting within the western 100 feet of the site shall be limited to fixtures that are a maximum of twelve (12) feet in height. (Previously Condition Number 4, Feticition Number 87-134, Resolution Number R88-1802) (BUIIDING)
2. The dumpsters shall be located on the eastern half of the site and shall be screened by a six (6) foot high wing wall. (Previously Condition Number 6, Petition Number 87-134, Resolution Number R88-1802) (ZONING)
3. All architectural features on the miniature golf course shall be limited to a maximum height of fifteen (15) feet, measured from finished grade to the highest point. (BUILDING)
4. The miniature golf course site lighting shall be limited to a maximum of fifteen (15) feet in height, measured form finished grade to the highest point. (BUILDING)

C. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. All existing on-site sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC and Palm Beach County ECR-I. (HEALTH)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing on-site potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II. (HEALTH)

E. ENGINEERING

1. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement. (Previously Condition Number 15, Petition Number 87-134, Resolution Number R88-1802) (ENGINEERING)
2. The developer shall pay for the design and construction of a left turn lane south approach on Military Trail at the projects northern most entrance; construction to be a part of Military Trail Project #83-219. At Palm Beach County's option the developer shall construct a right turn lane north approach at the projects north entrance concurrent with four lanning of Hilitary Trail Project #83-219. Should this section of roadway be six laned by Palm Beach County the right turn lane requirement shall be deleted. (Previously Condition Number 3, Petition Number 87-134(A), Resolution Number R89-937) (ENGINEERING)

3. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$47,418.00 (1770 trips x \$26.79 per trip). (Previously Condition Number 18, Petition Number 87-134, Resolution Number R88-1802) (ENGINEERING)  
(Palm Beach County records indicate this condition has been complied with.)
4. Prior to issuance of a building permit the developer shall obtain an onsite drainage permit from the County Engineer. This permit application shall reflect the drainage into this site from the adjacent Don Carter bowling center in accordance with the original drainage design for the Don Carter bowling center, in addition to the drainage generated by this site. (ENGINEERING)

**F. LANDSCAPE - GENERAL**

1. Existing Slash Pines within all perimeter landscape strips and interior landscape islands and medians shall be preserved. Petitioner shall submit an Alternative Landscape Betterment Plan at the time of Site Plan Review Committee submittal to be allowed to manipulate the spacing of the required interior landscape islands in order to preserve more Slash Pines. (Previously Condition Number 8, Petition Number 87-134, Resolution Number R88-1802) (ZONING)
2. The two existing, mature Royal Palms shall be preserved or re-located on site. (Previously Condition Number 9, Petition Number 87-134, Resolution Number R83-1802) (ZONING)
3. Petitioner shall maintain a ten (10) foot wide landscape strip along the western property line. Within this strip a six (6) foot high CBS wall shall be installed, existing slash pines shall be preserved, and additional native canopy trees a minimum of twelve (12) feet in height shall be planted to establish a vegetative buffer with trees no more than twenty-five (25) feet apart (on center). The six (6) foot high wall shall receive architectural treatment on both sides and shall be maintained in a good condition and appearance. (Previously Condition Number 10, Petition Number 87-134, Resolution Number R88-1802) (ZONING)
4. All trees required to be planted on site by this approval shall meet the following minimum supplemental standards at installation:
  - a. Tree height: fourteen (14) feet.
  - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
  - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length. (ZONING)

G. LANDSCAPE - NORTH PROPERTY LINE (ABUTTING THE MINIATURE GOLF PARCEL ONLY)

1. Along the north property line, adjacent to the boundary of the subject site, petitioner shall upgrade the landscaping to include a minimum of one (1) tree planted every thirty (30) feet on center and a continuous opaque hedge a minimum of twenty four (24") inches in height at installation. (ZONING)